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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McCluskie et al.
Serial No.: 09/768,012
Confirmation No.: 9273
Filed: January 22, 2001
For: IMMUNOSTIMULATORY NUCLEIC ACIDS FOR
INDUCING A TH2 IMMUNE RESPONSE
Examiner: Dave Trong Nguyen
Art Unit: 1632

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION TO PRESERVE RIGHTS UNDER 35 U.S.C. § 135(b)(2)

Sir:

Applicant makes this Submission under 35 U.S.C. § 135(b)(2) in order to preserve rights. This Submission is not intended to be a response to the outstanding Office Action mailed December 15, 2004. This latter document will be timely filed with the Patent Office.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page

2.

Remarks begin on page 7.